

REMARKS/ARGUMENTS

Claims 11-12 and 14-35 were pending. In the Office Action, the Examiner rejected claims 14-35 under 35 USC §101 as claiming the same invention has that of claims 12-33 of U.S. Patent 6,298,481 issued to Kosaka et al. (hereinafter "Kosaka"), and rejected claims 11-12 under 35 USC §102(e) as being anticipated by that same patent. In this amendment, Applicants cancel claims 14-35 and request reconsideration of the rejection of claims 11-12. Claim 12 has been amended not to alter its scope or range of equivalents, but to match the antecedent basis in claim 11 for the term "substitute reference address".

In responding to this Office Action, the undersigned telephoned the Examiner to discuss the case. During a conference call on September 16, 2004, I explained that the rejection was likely improper, as the reference used is the parent application to the present continuation application. The Examiner indicated that I should file a response including such arguments and they would be considered.

The present application was filed April 20, 2001. Kosaka was filed October 30, 1998 and issued on October 2, 2001. Thus, Kosaka and the present application were copending. Since they have the same inventive entity and the present application includes a statement claiming priority, Applicant submits that the requirements of 35 USC §120 are met and the present application is entitled to a priority date of at least October 30, 1988. As a result, Kosaka is not a §102(e) reference with respect to the present application and Applicant respectfully requests withdrawal of the rejection of claims 11-12.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and that each of the Examiner's objections and rejections have been overcome. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 09/839,978
Amdt. dated September 22, 2004
Reply to Office Action of May 11, 2004

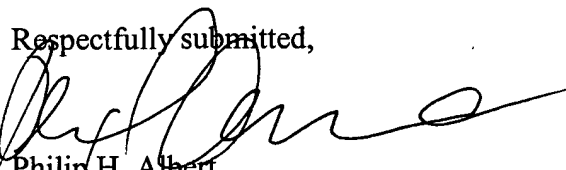
PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Dated: _____

9/23/04


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